

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CIVIL TRIAL MINUTES

**The Honorable WILLIAM H. ALSUP**

Date: April 18, 2012

Case No.: **C10-03561 WHA**

Case Name: **ORACLE AMERICA, INC.** v. **GOOGLE INC.**

Plaintiff's Counsel: Michael Jacobs; Dan Muino; Fred Norton; Andrew Temkin; David Boies; Dorian Daley  
Steven Holtzman; Safra Catz (Corporate Representative)

Defendant's Counsel: Robert Van Nest; Christa Anderson; Dan Purcell; Michael Kwun; Bruce Baber  
Catherine Lacavera (Corporate Representative)

Clerk: Dawn K. Toland

Court Reporter: Kathy Sullivan; Debra Pas

Trial Began: April 16, 2012

Further Trial: April 19, 2012 at 7:30 am

Trial Motions Heard:

Disposition

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Other:

Counsel provided the Clerk a cd of Larry Ellison deposition excerpts played to the jury on 4/17/12.

Time in Trial: 5 hours 30 minutes

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIACase No: **C10-03561 WHA**Case Name: **ORACLE AMERICA, INC. v. GOOGLE INC.****EXHIBIT and WITNESS LIST**

<b>JUDGE:</b> WILLIAM H. ALSUP			<b>PLAINTIFF ATTORNEY:</b> Michael Jacobs; Dan Muino Fred Norton; Andrew Temkin David Boies; Dorian Daley Steven Holtzman			<b>DEFENSE ATTORNEY:</b> Robert Van Nest; Christa Anderson Dan Purcell; Michael Kwun Bruce Baber		
<b>TRIAL DATE:</b> April 18, 2012			<b>REPORTER(S):</b> Kathy Sullivan; Debra Pas			<b>CLERK:</b> Dawn Toland		
PLF NO.	DEF NO	DATE OFFERED	ID	REC	DESCRIPTION	BY		
		<u>7:30 am</u>			Outside the presence of the jury. Court addressed issues regarding media access. Deposition designations of Larry Page played yesterday is admitted into evidence as exhibit 1041. Court received the Larry Page deposition exhibits marked as trial exhibits 1, 2, 7 and 401. Court and counsel discussed the number of methods. Counsel addressed issued of late disclosures and party admission re exhibit 10. Court provided the amount of time used for case in chief.			
<u>1041</u>			<u>x</u>	<u>x</u>	Deposition designation of Larry Page played by video			
<u>1</u>			<u>x</u>	<u>x</u>	Android GPS Key Strategic Decisions Around Open Source			
<u>2</u>			<u>x</u>	<u>x</u>	Email from Andy Rubin to <a href="mailto:wmc@google.com">wmc@google.com</a>			
<u>7</u>			<u>x</u>	<u>x</u>	Email from Tracey Cole to Andy Rubin including email from Rubin to Page			
<u>401</u>			<u>x</u>	<u>x</u>	Email from Nick Sears to <a href="mailto:emg@google.com">emg@google.com</a>			
		<u>8:00 am</u>			Reconvene...jury present			
					Court addressed the jury regarding attorney contact and gave an 'introduction' to what is a copyright			
		<u>8:22 am</u>			Examination of <b>Larry Page</b> continued			
<u>1</u>			<u>x</u>	<u>x</u>	Android GPS Key Strategic Decisions Around Open Source			
<u>2</u>			<u>x</u>	<u>x</u>	Email from Andy Rubin to <a href="mailto:wmc@google.com">wmc@google.com</a>			
<u>7</u>			<u>x</u>	<u>x</u>	Email from Tracey Cole to Andy Rubin including email from Rubin to Page			
<u>431</u>			<u>x</u>		Email from Cathay Bi to Alan Eagle re BOD question (objection sustained)			
<u>432</u>			<u>x</u>		Email from Sean Dempsey to Jonathan Rosenberg re Tony h, including presentation			
<u>2</u>			<u>x</u>	<u>x</u>	Email from Andy Rubin to <a href="mailto:wmc@google.com">wmc@google.com</a>			

<u>6</u>			<u>x</u>	<u>x</u>	Email from Andy Rubin to <a href="mailto:emg@google.com">emg@google.com</a> including Android GPS presentation	
<u>10</u>			<u>x</u>		Email from Tim Lindholm to Andy Rubin re Context for discussion	
		<u>9:00 am</u>			Cross Examination by Robert Van Nest	
		<u>9:10 am</u>			Redirect Examination	
<u>6</u>			<u>x</u>	<u>x</u>	Email from Andy Rubin to <a href="mailto:emg@google.com">emg@google.com</a> including Android GPS presentation	
<u>2</u>			<u>x</u>	<u>x</u>	Email from Andy Rubin to <a href="mailto:wmc@google.com">wmc@google.com</a>	
		<u>9:19 am</u>			Witness Excused	
		<u>9:20 am</u>			Recess	
		<u>9:40 am</u>			Reconvene...jury present	
					Plaintiff's witness <b>Edward Screven</b> sworn-in. Direct by Fred Norton	
<u>2347</u>			<u>x</u>	<u>x</u>	Letter dated June 22, 2007 from Apache Software Foundation to Schwartz	
		<u>10:25 am</u>			Cross Examination by Daniel Purcell	
	<u>2237</u>		<u>x</u>	<u>x</u>	Oracle Acquisition of Sole Control Over Sun Microsystems	
	<u>2347</u>		<u>x</u>	<u>x</u>	Letter dated June 22, 2007 from Apache Software Foundation to Schwartz	
		<u>11:00 am</u>			Redirect	
<u>2237</u>			<u>x</u>	<u>x</u>	Oracle Acquisition of Sole Control Over Sun Microsystems	
		<u>11:15 am</u>			Witness Excused	
		<u>11:15 am</u>			Recess	
		<u>11:30 am</u>			Outside the presence of the jury. Michael Jacobs advised the Court the parties stipulate to the admission of the following exhibits: 450, 451, 452, 453, 454, 455, 460, 461, 462, 463, 464, 475, 476, 509, 510, 511, 513, 518, 520, 521, 523, 524, 526, 595, 596, 597, 598, 599, 601, 602, 603 and 659. Exhibits received.	
		<u>11:34 am</u>			Reconvene...jury present	
					Plaintiff's witness <b>Mark Reinhold</b> sworn-in. Direct by Michael Jacobs	
<u>1028</u>			<u>x</u>	<u>x</u>	Java Class Libraries Poster (smaller version in folder)	
<u>610</u>			<u>x</u>		JDK 5 Binaries, documentation (withdrawn)	
<u>984</u>			<u>x</u>	<u>x</u>	The Java Language Specification Third Edition	
		<u>1:00 pm</u>			Recess until 4/29/12 at 2:00 pm	